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Transmittal and (2) Letter Regarding  
Error in Patent Term Adjustment

Applicant's Name: Roy E. Wuthier, et al.

Serial No.: 10/696,760 Examiner: Pryor, Alton Nathaniel

Filing Date: 10/29/2003 Art Unit: 1616 Confirmation No.: 6691

Application Title: FC101 AND ANALOGS AS A METHOD OF TREATMENT  
FOR CANCERIF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS  
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USO 4571.3  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Roy E. Wuthier et al.  
Serial No. 10/696,760  
Filed October 29, 2003  
Confirmation No. 6691  
For FC101 AND ANALOGS AS A METHOD OF TREATMENT FOR CANCER  
Examiner A. N. Pryor

Art Unit 1616

May 10, 2006

**LETTER REGARDING ERROR IN PATENT TERM ADJUSTMENT**

TO THE COMMISSIONER FOR PATENTS,  
SIR:

Pursuant to Comment 43 of the rules listed in Federal Register Vol. 65, No. 181 at page 56387 (Sept. 18, 2000), Applicants hereby notify the Office that the term adjustment for the allowed application is thought to be longer than appropriate. The Office has indicated that the application is entitled to a patent term adjustment of one-hundred ninety-four (194) days, but applicants believe that the correct adjustment is zero (0) days.

Applicants submit that the present application is subject to a terminal disclaimer and, therefore, may not be adjusted under 35 U.S.C. § 154 beyond the expiration date specified in the disclaimer. 35 U.S.C. § 154(b)(2)(B). Hence, the patent term adjustment should be zero (0) days.

Accordingly, it is believed that the patent term adjustment should be reduced by one-hundred ninety-four (194) days to zero (0) days. Applicants respectfully request a correction in the patent term adjustment determination.

Applicants believe that no fee is due for the filing of this letter.

Respectfully submitted,

Timothy B. McBride, Reg. No. 47,781  
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